

ENTERED

June 25, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

KENDALL MERRIWEATHER,

Plaintiff,

VS.

MARK DAVIS,

Defendant.

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3:24-cv-135

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On May 21, 2024, all pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 3. Judge Edison filed a memorandum and recommendation on June 6, 2024, recommending, sua sponte, that this matter be remanded to the Justice Court, Precinct 3, Galveston County, Texas for lack of subject matter jurisdiction. Dkt. 4.

No objections have been filed to the memorandum and recommendation. Accordingly, the court reviews it for plain error on the face of the record. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the court finds that there is no plain error apparent from the face of the record. Accordingly:

- (1) Judge Edison's memorandum and recommendation (Dkt. 4) is approved and adopted in its entirety as the holding of the court; and
- (2) This matter is remanded to the Justice Court, Precinct 3, Galveston County, Texas.

Signed on Galveston Island this 25th day of June, 2024.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE